

SEP 13 2000

BEFORE THE FEDERAL ELECTION COMMISSION

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FEDERAL ELECTION
COMMISSION
SECRETARIAT

In the Matter of)
) MUR 4762
American Federation of State, County)
& Municipal Employees-PEOPLE)
and William Lucy, as treasurer)
American Federation of State, County)
& Municipal Employees)

2000 SEP 13 P 2:31

SENSITIVE

GENERAL COUNSEL'S REPORT

I. ACTIONS RECOMMENDED

Accept the attached signed counterproposed conciliation agreement and close the file.

II. BACKGROUND

On June 23, 1998, the Commission found reason to believe the American Federation of State, County & Municipal Employees and its separate segregated fund, the American Federation of State, County & Municipal Employees-PEOPLE and William Lucy, as treasurer ("AFSCME-PEOPLE"), violated 2 U.S.C. § 441b(a) by respectively making and receiving in-kind contributions totaling \$15,995. The contributions were in the form of telephone bank activities in support of three federal candidates in 1996, the costs of which were later reimbursed by AFSCME-PEOPLE. The Commission also found reason to believe that AFSCME-PEOPLE violated 2 U.S.C. § 434(b) by reporting the contributions in an untimely manner, and 2 U.S.C. § 441a(a)(2)(A) by making a \$2,500 excessive contribution to a federal candidate in 1996 in the form of an untimely redesignation.¹ On July 25, 2000, the Commission approved a joint

¹ The Commission further found reason to believe that AFSCME-PEOPLE violated 2 U.S.C. § 441a(a)(2)(C) by making \$25,000 in excessive contributions to the Texas Democratic Party and four affiliated Texas Democratic county party committees in 1996, but took no further action with regard to that violation on March 14, 2000. See General Counsel's Report dated February 28, 2000.

conciliation agreement

III. DISCUSSION

The attached counterproposed agreement, signed by AFSCME's Associate General Counsel and received by this Office on September 1, 2000

this Office recommends that the Commission accept the attached signed conciliation agreement with the American Federation of State, County & Municipal Employees and the American Federation of State, County & Municipal Employees-PEOPLE and William Lucy, as treasurer, and close the file in this matter.²

IV. RECOMMENDATIONS

1. Accept the attached signed conciliation agreement with the American Federation of State, County & Municipal Employees and the American Federation of State, County & Municipal Employees-PEOPLE and William Lucy, as treasurer.
2. Close the file.

² The civil penalty check has not yet been received.

3. Approve the appropriate letter.

Lawrence M. Noble
General Counsel

9/11/00
Date

BY:


Lois G. Lerner
Associate General Counsel

Attachment
Counterproposed Conciliation Agreement

Staff Assigned: Thomas J. Andersen



FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *tcj*
DATE: September 13, 2000
SUBJECT: MUR 4762- General Counsel's Report

The attached is submitted as an Agenda document for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

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NON-SENSITIVE

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72 Hour TALLY VOTE ☒
24 Hour TALLY VOTE ☐
24 Hour NO OBJECTION ☐
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COMPLIANCE

☒

Open/Closed Letters ☐
MUR ☐
DSP ☐

STATUS SHEETS
Enforcement ☐
Litigation ☐
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RATING SHEETS ☐
AUDIT MATTERS ☐
LITIGATION ☐
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REGULATIONS ☐
OTHER ☐